

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION**

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Magistrate Judge Patti B. Saris

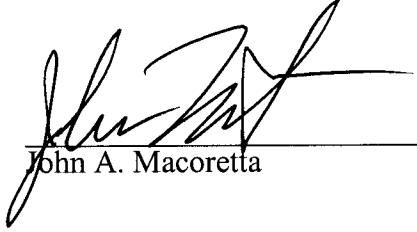
**THIS DOCUMENT RELATES TO
ALL CLASS ACTIONS**

DECLARATION OF JOHN MACORETTA

1. I am a partner at the law firm of Spector, Roseman & Kodroff, in Philadelphia, PA, representing the Plaintiffs.
2. Attached hereto as Exhibit "A " is a true and correct copy of the November 9, 2005 hearing transcript.
3. Attached hereto as Exhibit "B " is a true and correct copy of J&J's Request for Admissions and Interrogatories regarding Procrit.
4. Attached hereto as Exhibit "C" is a true and correct copy of J&J's Request for Admissions and Interrogatories regarding Remicade.
5. Attached hereto as Exhibit "D" is a true and correct copy of Plaintiffs' Response to J&J's Request for Admissions and Interrogatories regarding Procrit.
6. Attached hereto as Exhibit "E" is a true and correct copy of Plaintiffs' Response to J&J's Request for Admissions and Interrogatories (Remicade Irog 11, Procrit 5) regarding Remicade.
7. Attached hereto as Exhibit "F" is a true and correct copy of case *United States v. Chevron U.S.A. Inc.*, 1989 WL 100927, *4 (E.D.Pa. Aug. 30, 1989).

8. Attached hereto as Exhibit "G" is a true and correct copy of case *Caruso v. Coleman Co.*, 1995 WL 347003, *5 (E.D.Pa. June 7, 1995).

Dated: November 23, 2005



John A. Macoretta

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2005, I served true and correct copies of the foregoing Plaintiffs' Objections to Magistrate Judge Bowlers's Ruling on Johnson & Johnson's Motion to Determine the Sufficiency of Plaintiffs' Response to Request for Admissions and Interrogatories Concerning Remicade and Procrit on all counsel of record via LexisNexis File & Serve.

/s/ John Macoretta
John Macoretta